

**§ 201.1**

- 201.200 Sale of livestock to a packer on credit.
- 201.213-201.214 [Reserved]
- 201.215 Suspension of delivery of birds.
- 201.216 Additional capital investments criteria.
- 201.217 Reasonable period of time to remedy a breach of contract.
- 201.218 Arbitration.

AUTHORITY: 7 U.S.C. 182, 222, and 228, and 7 CFR 2.22 and 2.81.

EFFECTIVE DATE NOTE: At 76 FR 76888, Dec. 9, 2011, the authority citation to part 201 was revised, effective Feb. 7, 2012. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 7 U.S.C. 181-229, 229c.

DEFINITIONS

**§ 201.1 Meaning of words.**

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

[19 FR 4524, July 22, 1954]

**§ 201.2 Terms defined.**

The definitions of terms contained in the Act shall apply to such terms when used in the Regulations under the Packers and Stockyards Act, 9 CFR part 201; Rules of Practice Governing Proceedings under the Packers and Stockyards Act, 9 CFR part 202; Statements of General Policy under the Packers and Stockyards Act, 9 CFR part 203; and Organization and Functions, 9 CFR part 204. In addition the following terms used in these parts shall be construed to mean:

- (a) *Act* means the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. 181 et seq.).
- (b) *Department* means the United States Department of Agriculture.
- (c) *Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department authorized to act for the Secretary.
- (d) *Administration* or *agency* means the Grain Inspection, Packers and Stockyards Administration (Packers and Stockyards Programs).
- (e) *Administrator* or *agency head* means the Administrator of the Administration or any person authorized to act for the Administrator.

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(f) *Regional Supervisor* means the regional supervisor of the Grain Inspection, Packers and Stockyards Administration (Packers and Stockyards Programs) for a given area or any person authorized to act for the regional supervisor.

(g) *Person* means individuals, partnerships, corporations, and associations.

(h) *Registrant* means any person registered pursuant to the provisions of the Act and the regulations in this part.

(i) *Stockyard* means a livestock market which has received notice under section 302(b) of the Act that it has been determined by the Secretary to come within the definition of "stockyard" under section 302(a) of the Act.

(j) *Schedule* means a tariff of rates and charges filed by stockyard owners and market agencies.

(k) *Custom Feedlot* means any facility which is used in its entirety or in part for the purpose of feeding livestock for the accounts of others, but does not include feeding incidental to the sale or transportation of livestock.

[46 FR 50510, Oct. 14, 1981]

EFFECTIVE DATE NOTE: At 76 FR 76888, Dec. 9, 2011, §201.2 was amended by adding reserved paragraph (l) and paragraphs (m) through (o), effective Feb. 7, 2012. For the convenience of the user, the added text is set forth as follows:

**§ 201.2 Terms defined.**

\* \* \* \* \*

(l) [Reserved]

(m) *Principal part of performance* means the raising of, and caring for livestock or poultry, when used in connection with a livestock or poultry production contract.

(n) *Additional capital investment* means a combined amount of \$12,500 or more per structure paid by a poultry grower or swine production contract grower over the life of the poultry growing arrangement or swine production contract beyond the initial investment for facilities used to grow, raise and care for poultry or swine. Such term includes the total cost of upgrades to the structure, upgrades of equipment located in and around each structure, goods and professional services that are directly attributable to the additional capital investment. The term does not include costs of maintenance or repair.

(o) *Suspension of delivery of birds* means the failure of a live poultry dealer to deliver a